

REMARKS

Status of the Claims

Upon entry of this amendment, claims 43-46 are pending in this application. Of these, claim 43 is independent. Claims 20-33 were previously canceled and claims 34-42 are currently canceled. New claims 43-46 are added. Applicant believes that these changes introduce no new matter. Entry and consideration of this amendment are respectfully requested.

Claim Rejections

Claims 34-42 are rejected under the judicially doctrine of obviousness-type double patenting as being allegedly unpatentable over claims 1-13 of U.S. Patent No. 6,061,452. Claims 34-42 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 5,787,171 to Kubota et al. ("Kubota") in view of U.S. Patent No. 4,759,060 to Hayashi et al. ("Hayashi"). Claims 34-42 have been canceled, thereby rendering these rejections moot.

New Claims 43-46

New claims 43-45 are directed to a transmitting method. New claim 46 is directed to a computer-readable medium. Support for these features can be found in the Specification, for example, from page 17, line 6 to page 20, line 26. Applicant asserts that claims 43-46 are not obvious in view of the claims in U.S. Patent No. 6,061,452.

The method of claim 43 includes transmitting information indicating a watching and listening time to a receiving side. In addition, this method includes transmitting information for decoding encrypted data. As recited in claim 43, this is performed in accordance with a request from the receiving side that is based on the information indicating the watching and listening unit time.

Kubota in view of Hayashi neither teaches nor suggests transmitting information for decoding encrypted data, as recited in claim 1. For instance, Hayashi fails to disclose

information being transmitted from a receiving side to a transmitting side. Moreover, Kubota fails to overcome the deficiencies of Hayahsi.

Kubota involves a transmitter that sends data to a terminal device. At column 11, lines 40-44, Kubota discloses the transmitter receiving a request containing a terminal ID of the terminal device. Based on this request, the transmitter in Kubota transmits a program for decoding data. However, this passage neither teaches nor suggests transmission in accordance with a request based on information indicating a watching and listening unit time, as recited in claim 43. Accordingly, Applicant submits that claims 43-46 are patentable over Kubota and Hayashi.

CONCLUSION

In view of the above Amendment and Remarks, Applicant respectfully submits that all of the stated grounds of rejection and objection have been properly traversed accommodated or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and objections and that they be withdrawn. Applicant believes that a full and complete reply has been made, and, as such, the present Application is in condition for allowance.

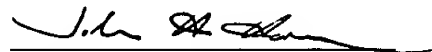
AUTHORIZATION

No fee is due by filing of this paper. However, the Commissioner is hereby authorized to charge any additional fees, which may be required for consideration of this Amendment , or credit any overpayment to Deposit Account 13-4503, Order no. 1232-4396US1.

Respectfully submitted,
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Date: August 29, 2003

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